

South Coast Air Quality Management District
Executive Order 09-03

WHEREAS, The Governor of the State of California has proclaimed a State of Emergency resulting from widespread fires commencing on or about August 26 and August 30, 2009, such proclamations occurring on August 28, 2009, for affected areas in Los Angeles County and on September 1, 2009, for affected areas in San Bernardino County; and

WHEREAS, The Governor's proclamations declared that conditions of extreme peril to the safety of persons and property exist within these Counties caused by the wildfires; and

WHEREAS, combating the wildfires has necessitated the use of mobile refuelers that do not comply with South Coast Air Quality Management District Rules 203 (requirement for a Permit to Operate) and 461(c)(2) (requirements for gasoline transfer into Vehicle Fuel Tanks, Phase II Vapor Recovery) to provide fuel to vehicles and equipment immediately needed to facilitate the remediation of the emergency including rescue efforts and efforts to protect public health and safety within the areas covered by the Proclamation of a State of Emergency; and

WHEREAS, pursuant to South Coast Air Quality Management District Rule 118(d)(1), I find and determine and hereby declare that strict compliance with provisions of Rules 203 and 461(c)(2) would delay critical actions necessary to protect public health and safety;

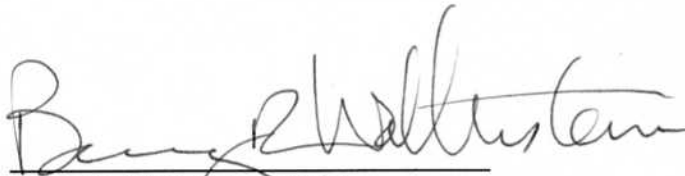
NOW, THEREFORE, pursuant to the authority vested in me by Rule 118(d)(1) of the South Coast Air Quality Management District, I hereby suspend the application of Rules 203 and 461(c)(2) as applicable to the refueling of vehicles and equipment necessary to rescue efforts and efforts to protect public health and safety in the areas affected by the wildfires commencing on or about August 26, 2009, in the County of Los Angeles and on or about August 30, 2009, in the County of San Bernardino, to the extent using a refueling method that complies with all South Coast Air Quality Management District Rules would delay actions necessary to perform those operations.

This Order and suspension shall be on condition that the operator of the mobile refueler shall record and submit a report to the South Coast Air Quality Management District within seven days of the expiration of the Governor-declared State of Emergency containing all of the following for each day of operation under this Order:

- (1) The date(s) the refueler was used;
- (2) The license plate number of the refueler;
- (3) The name and address of the operator; and
- (4) The location (city or area) where the fuel was dispensed.

This suspension shall be in effect for a period concluding at 5:00 p.m. on September 11, 2009, or upon the termination of the Governor-declared State of Emergency, whichever is earlier.

Dated: September 2, 2009



Barry R. Wallerstein, D.Env.
Executive Officer